

Attorney Ref. 20002.0288

### REMARKS

This communication is in response to the final Office Action issued May 17, 2006.

The Examiner rejected claims 18 and 21-32 under 35 U.S.C. § 102 in view of U.S. Patent No. 4,718,842 to Labbe *et al.* ("Labbe"). The Examiner rejected claims 1-17 and 33-39 under 35 U.S.C. § 103 in view of varying combinations of Labbe and U.S. Patent Nos. 6,350,114 to Simonds ("Simonds"), 5,725,891 to Reid, Jr. ("Reid"), 4,929,165 to Inaba *et al.* ("Inaba"), and 3,596,317 to Nicholson ("Nicholson").

#### Claim Rejections Under 35 U.S.C. § 102

In sections 1 and 2 of the Office Action, the Examiner rejected claims 18 and 21-32 under 35 U.S.C. § 102 in view of Labbe.

Independent claim 18 recites *inter alia* that the linear measurement device provides ram position information and the pressure measurement device provides ram pressure information at all positions of the ram. The claim further recites programmable and variable triggers. The Labbe device does not teach or suggest either of these recitations, nor did the Examiner address such recitations in the Office Action. Thus, it is seen that the rejections proffered by the Examiner do not satisfy the minimum requirements for a proper rejection. Withdrawal of the rejections and allowance of the claims is requested.

In view of the foregoing, the Examiner's rejections under 35 U.S.C. § 102 to the claims are believed to be overcome.

#### Claim Rejections Under 35 U.S.C. § 103

In sections 3-7 of the Office Action, the Examiner rejected claims 1-17 and 33-39 under 35 U.S.C. § 103 in view of varying combinations of Labbe, Simonds, Reid, Inaba, and Nicholson. Specifically, the Examiner rejected:

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- claims 1-9 and 37-39 in view of Reid modified by Simonds,
- claims 10-12 in view of Reid modified by Simonds and further modified by Nicholson,
- claims 10 and 13-17 in view of Reid modified by Simonds and further modified by Labbe, and
- claims 33-36 in view of Labbe modified by Inaba.

The Examiner essentially repeated his prior rejections without adding any new discussion or explanation. The Applicants incorporate the remarks presented in the Response to the November 16, 2005 Office Action.

In section 8 of the Office Action, entitled "Response to Arguments," the Examiner suggests that the Applicants' invention merely shifts the position of elements of an obvious device, relying upon the *In re Japikse* and *In re Kuhle* cases for support. The Applicants traverse the Examiner's arguments. In contrast to the Examiner's broad, conclusory statements, it would not have been obvious to provide two separate and coplanar series of channels within a platen. This is not mere repositioning of known or obvious elements, but rather, as explained in the Applicants' Written Description and the prosecution history, is a novel device that provides benefits not seen in the prior art.

The Examiner's rejections fail to meet the *prima facie* requirements for proper obviousness rejections. Withdrawal of the rejections and allowance of the claims is requested.

In view of the foregoing, the Examiner's rejections under 35 U.S.C. § 103 to the claims are believed to be overcome.

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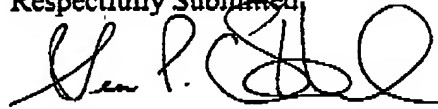
Additional Fees

The Commissioner is hereby authorized to charge any insufficiency or credit any overpayment associated with this application to Bingham McCutchen LLP Deposit Account No. 19-5127 (order no. 20002.0288).

Conclusion

In view of the foregoing, all of the Examiner's rejections of the claims are believed to be overcome. The Applicants respectfully request reconsideration and issuance of a Notice of Allowance for all claims. Should the Examiner feel further communication would help prosecution, the Examiner is urged to call the undersigned at the telephone number provided below.

Respectfully Submitted,



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